

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

GUARDIAN INDUSTRIES CORPORATION )  
 )  
*Plaintiff,* )  
 )  
v. )  
 )  
DELL INC.; )  
GATEWAY, INC.; )  
HEWLETT-PACKARD COMPANY; )  
ACER INC.; )  
ACER AMERICA CORPORATION; )  
AOC INTERNATIONAL; )  
ENVISION PERIPHERALS, INC.; )  
TPV INTERNATIONAL (USA) INC.; )  
AU OPTRONICS CORPORATION; )  
AU OPTRONICS CORPORATION AMERICA a/k/a )  
AU OPTRONICS AMERICA, INC.; )  
BENQ CORPORATION; )  
BENQ AMERICA CORPORATION; )  
CHUNGHWA PICTURE TUBES, LTD. a/k/a ) C.A. No. 05-27-SLR  
CHUNGHWA PICTURETUBES COMPANY.; )  
TATUNG COMPANY; )  
TATUNG COMPANY OF AMERICA, INC.; )  
BOE HYDIS TECHNOLOGY COMPANY, LTD.; )  
BOE HYDIS AMERICA, INC.; )  
COMPAL ELECTRONICS, INC.; )  
DELTA ELECTRONICS, INC.; )  
DELTA PRODUCTS CORPORATION; )  
DELTA ELECTRONICS (THAILAND) )  
 PUBLIC COMPANY, LTD.; )  
HANNSTAR DISPLAY CORPORATION; )  
JEAN CO., LTD.; )  
LITE-ON TECHNOLOGY CORPORATION; )  
LITE-ON, INC. a/k/a )  
LITEON TRADING USA, INC.; )  
MAG TECHNOLOGY COMPANY, LTD.; )  
MAG TECHNOLOGY USA, INC.; )  
PROVIEW INTERNATIONAL HOLDINGS, LTD.; )  
PROVIEW TECHNOLOGY, INC.; and )  
QUANTA DISPLAY, INC. )  
 )  
*Defendants.* )

**COMPAL ELECTRONICS, INC.'S MOTION TO STAY PENDING  
RESOLUTION OF THE CASES AGAINST LCD MODULE MANUFACTURERS**

Defendant Compal Electronics, Inc. ("Compal") respectfully moves this Court to enter an Order staying the above-captioned action against Compal pending the final resolution of Plaintiff Guardian Industries Corporation's ("Guardian") claims against the liquid crystal display ("LCD") product manufacturers in this action. The four patents asserted by plaintiff Guardian are directed to specific components of LCDs. In addition to suing the companies that manufacture LCDs or their components, Guardian has also sued customers of those and other LCD manufacturers. Compal is an LCD customer. It purchases LCD panels, modules and other LCD related components from LCD manufacturers and then assembles them into monitors as an original equipment manufacturer (OEM) and/or original design manufacturer (ODM) for third parties, such as Dell, Inc. Compal is therefore a customer of the LCD manufacturers with limited knowledge and information about the design and manufacture of the LCD products that it purchases.

The manufacturers, not LCD customers like Compal, are the real parties in interest in this case. The LCD manufacturers are the parties with detailed knowledge of the design, structure and manufacture of the allegedly infringing LCDs, and the parties with the information and documentation and documentation to defend against Guardian's claims. The manufacturers who supply Compal are set forth in the attached Declaration of Tseng Fan Chun (Exhibit A hereto). In an attempt to simplify this case, Compal now moves to stay the action, thereby allowing the LCD manufacturers to logically take the lead. Further, staying this case against Compal and the other customer defendants pending resolution of Guardian's claims against the LCD manufacturers would further the interests of justice and litigation efficiency and economy by significantly streamlining

and simplifying the issues, discovery, and trial in this complex, multi-party case. *See Honeywell Int'l Inc. v. Audiovox Communications Corp.*, C.A. No. 04-1337 KAJ, slip op. at 6-7 (D. Del. May 18, 2005) (Exhibit B hereto); *Commissariat A L'Energie Atomique v. Dell Computer Corp.*, C.A. No. 03-484 KAJ, 2004 WL 1554382, at \*3 (D. Del. May 13, 2005) (Exhibit C hereto).

Compal joins in and incorporates by reference the point and authorities set forth in the briefs in support of the motions to stay filed by Dell, Inc. on June 3, 2005 and Gateway, Inc. on June 8, 2005, and the Declaration of Tseng Fan Chun, June 28, 2005 (Exhibit A hereto), as grounds for this Motion. A proposed Order granting Compal's motion is submitted herewith as Exhibit D.

**Rule 7.1.1 Statement.** Plaintiff will not consent to the relief sought by this Motion. *See* D.I. 132 (Answering Brief in Opposition to Motion to Stay).

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**CERTIFICATE OF SERVICE**

I, David E. Moore, hereby certify that on June 28, 2005, the attached document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF:

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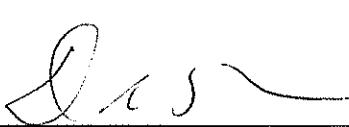
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